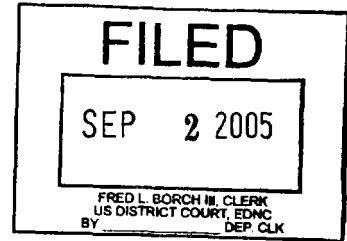


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:04-CR-211-1B0



UNITED STATES OF AMERICA

v.


DAVID A. PASSARO

:
:
: MOTION TO SEAL
:
:

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby moves this Honorable Court for an Order sealing the Government's Response to Defendant's Motion to Reconsider Protective Order of July 26, 2005 regarding the above-referenced matter and this Motion to Seal except that the Clerk provide copies of same to the United States Attorney's Office and counsel for the defendant.

Respectfully submitted, this 1ST day of September, 2005.

FRANK D. WHITNEY
United States Attorney


BY: JAMES A. CANDELMO
Assistant United States Attorney
Criminal Division

Unsealed 9/28/05

133